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EXAMINER

DANIEL JR, WILLIE J

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/869,884

Applicant(s)

AHONEN, PASI MATTI KALEVI

Examiner

Willie J. Daniel, Jr.

Art Unit

2686

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-11 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,2 and 4-11 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to applicant's amendment filed on 22 August 2005. **Claims 1-2** and **4-11** are now pending in the present application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 4, and 6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 recites the limitation "...directional **antenna** or receiver is **not used** for broadcasting service notification messages."

Claim 4 recites the limitation "...directional **antenna** or receiver is **not used** for broadcasting service notification messages."

Claim 6 recites the limitation "...directional **antenna** or receiver is **not used** for broadcasting service notification messages."

Regarding **Claims 1, 4, and 6** each claim includes a limitation that is not supported by the specification as originally filed and/or subsequent amendments (see pg. 4, lines 11-12; pg. 5, lines 5-13, 22-28). The Examiner respectfully requests the applicant to provide

page(s), line(s), and figure(s) of the amended instant application that supports to limitation of the claims to help clarify and resolve this issue.

3. This list of examples is not intended to be exhaustive. The Examiner respectfully requests the applicant to review the all claim(s) that have similar limitations and/or issues as the claims cited above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 and 4-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Vazvan (WO 97/45814)** in view of **Crandall (US 6,186,396 B1)**.

Regarding **Claim 1**, Vazvan discloses a method of interworking between a payer terminal (1) which reads on the claimed “mobile terminal” and payee terminal (2) which reads on the claimed “local service” in which information is conveyed between the local service (2) and the mobile terminal (1) over a local wireless communication channel (see pg. 4, lines 21-35; Figs. 1- 2, 4-6), the method comprising:

broadcasting from the payee terminal (2) which reads on the claimed “local service”, over the connectionless way which reads on the claimed “local wireless channel” into a region, payee product details which reads on the claimed “service notification messages” (see pg. 4,

lines 29-31; pg. 7, line 22-24; Figs. 5-6, 9), where the payee terminal (2) broadcast product details to the payer terminal (1) over a radio coverage area; and

conducting a payer terminal (1) which reads on the claimed “mobile terminal” identification process between the mobile terminal (1) and the local service (2) over the local wireless communication channel, said process only proceeding if the mobile terminal (1) is present within a localised region which is a sub-region of the region into which said service notification messages are broadcast (see pg. 6, lines 18-30; pg. 7, lines 22-36; pg. 8, line 33 - pg. 9, line 26; pg. 8, lines 16-23; pg. 5, lines 20-25; pg. 10, lines 5-36; Fig. 5), where the terminal-to-terminal communication is provided within the smaller coverage area to exchange information (e.g., product details, account number, payments (telecash), and/or P-PIN code) for the purpose such as a secure transaction and signaling protocol which provides the transaction communication in a smaller region of a larger region (see Fig. 5, Example 3-4). The coverage areas can be adjusted from 1 millimeter to a few meters or more (see pg. 7, lines 29-30).

wherein the identification process (see pg. 6, lines 18-30; pg. 7, lines 22-36; Figs. 2 and 5), where the mobile terminal is within a sub-region of the larger coverage area which is within range of the local service for identification and authentication purposes;

the payee details which hereinafter reads on the claimed “service notification messages” are broadcast from the local service (2) via a broadcast antenna (2) (see pg. 6, lines 18-30; pg. 7, lines 22-24; pg. 8, line 41 - pg. 9, line 4; Figs. 2, 5, and 6), where the local service has a transmitter/receiver for communicating with other devices by transmitting and receiving messages and identifying the other device. Vazvan fails to disclose having the features using

a directional antenna or receiver provided at the desired local service, a transmission/reception area of the directional antenna or receiver determines the localized region; and the directional antenna or receiver is not used for broadcasting service notification messages. However, the examiner maintains that the features using a directional antenna or receiver provided at the desired local service, a transmission/reception area of the directional antenna or receiver determines the localized region; and the directional antenna or receiver is not used for broadcasting service notification messages was well known in the art, as taught by Crandall.

In the same field of endeavor, Crandall discloses the features using a short range infrared interactive communications means (30) which reads on the claimed "directional antenna or receiver" provided at the desired local service, a transmission/reception area of the directional antenna or receiver determines the localized region (see col. 3, line 11 - col. 4, line 3; col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; Fig. 1), where the user of a portable receiver can interactively communicate with an electronic automated transaction systems such as AUTOMAC (e.g., vending machine, ATM, checkout counters, or kiosk) that has high power arrays for broadcast and low power arrays for narrowcast to enable transactions of monetary, information, goods, or services (also, see col. 7, lines 18-21; col. 6, lines 54-57); and

the directional antenna (30) or receiver is not used for broadcasting service notification messages (see col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; Fig. 1), where the user of a portable receiver can interactively communicate with an electronic automated transaction systems such as AUTOMAC (e.g., vending machine, ATM, checkout counters, or

kiosk) that has high power arrays for broadcast and low power arrays for narrowcast to enable transactions of monetary, information, goods, or services (also, see col. 7, lines 18-21; col. 6, lines 54-57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vazvan and Crandall to have the features using a directional antenna or receiver provided at the desired local service, a transmission/reception area of the directional antenna or receiver determines the localized region; and the directional antenna or receiver is not used for broadcasting service notification messages, in order to provide accessible, user friendly electronic automated transaction systems for use by sight-impaired persons and by print-disabled persons without diminishing the utility of the machine for those who are not sight-impaired or print-disabled, as taught by Crandall (see col. 2, lines 52-56, 64-67).

Regarding **Claim 2**, the combination of Vazvan and Crandall discloses every limitation claimed, as applied above (see claim 1), in addition Vazvan further discloses a method according to claim 1, wherein the mobile terminal (1) is a cellular radio telephone or smart phone which communicates with a cellular radio network using a communications protocol distinct from the protocol used over said local communication channel (see pg. 4, lines 21-35; pg. 5, line 5-9; pg. 7, lines 30-34; Figs. 5 and 6).

Regarding **Claim 4**, Vazvan discloses an apparatus for interworking between a mobile terminal (1) and a local service (2) in which information is conveyed between the local service (2) and the mobile terminal (1) over a local wireless communication channel (see pg. 4, lines 21-35; Figs. 1, 2, 4, 5, and 6), the apparatus comprising:

a local system (2) having transmitting means (2) for broadcasting from the local service, over the local wireless communication channel into a region, service notification messages (see pg. 4, lines 29-31; pg. 7, line 22-24; Figs. 5 and 6), where the payee product details are messages sent to the mobile terminal to inform the user of products and/or services; and

at least one mobile terminal (1) arranged in use to conduct an identification process with the local service over the local wireless communication channel, said process only proceeding if the mobile terminal (1) is present within a localised region which is a sub-region of the region over which said service notification messages are broadcast (see pg. 6, lines 18-30; pg. 7, lines 22-36; Figs. 2 and 5), where the mobile terminal is within a sub-region of the larger coverage area which is within range of the local service for identification and authentication purposes;

wherein the local system (2) (see pg. 4, lines 29-31; pg. 7, line 22-24; Figs. 5-6);

the transmitting means (2) comprises a broadcast antenna (2) for broadcasting the service notification messages (see pg. 4, lines 29-31; pg. 7, lines 22-36; Figs. 2 and 5), where the transmitter/receiver has a defined coverage area. Vazvan fails to disclose having the feature comprises a directional radio transmitter or receiver whose transmission/reception area determines the localized region; and the directional antenna or receiver is not used for broadcasting service notification messages. However, the examiner maintains that the features comprises a directional radio transmitter or receiver whose transmission/reception area determines the localized region; and the directional antenna or receiver is not used for broadcasting service notification messages was well known in the art, as taught by Crandall.

Crandall further discloses the feature comprises a directional radio transmitter or receiver whose transmission/reception area determines the localized region (see col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; Fig. 1), where the user of a portable receiver can interactively communicate with a device such as AUTOMAC (e.g., vending machine, ATM, checkout counters, or kiosk) that has high power arrays for broadcast and low power arrays for narrowcast to enable transactions of monetary, information, goods, or services (also, see col. 7, lines 18-21; col. 6, lines 54-57); and

the directional antenna (30) or receiver is not used for broadcasting service notification messages (see col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; Fig. 1), where the user of a portable receiver can interactively communicate with an electronic automated transaction systems such as AUTOMAC (e.g., vending machine, ATM, checkout counters, or kiosk) that has high power arrays for broadcast and low power arrays (30) for narrowcast to enable transactions of monetary, information, goods, or services (also, see col. 7, lines 18-21; col. 6, lines 54-57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vazvan and Crandall to have the feature comprises a directional radio transmitter or receiver whose transmission/reception area determines the localized region; and the directional antenna or receiver is not used for broadcasting service notification messages, in order to provide accessible, user friendly electronic automated transaction systems for use by sight-impaired persons and by print-disabled persons without diminishing the utility of the machine for those who are not sight-impaired or print-disabled, as taught by Crandall (see col. 2, lines 52-56, 64-67).

Regarding **Claim 5**, the combination of Vazvan and Crandall discloses every limitation claimed, as applied above (see claim 4), in addition Vazvan further discloses an apparatus according to claim 4, wherein the local wireless communication channel is a radio channel (see pg. 7, lines 22-36; Figs. 2 and 5), where the transmitter/receiver has a defined coverage area.

Regarding **Claim 6**, Vazvan discloses a local service for interworking with a mobile terminal (1) wherein information is conveyed between the local service (2) and the mobile terminal (1) over a local wireless communication channel (see pg. 4, lines 21-35; Figs. 1-2, 4-6), the local service (2) comprising:

transmitting means (2) for broadcasting, over the local wireless communication channel into a region, service notification messages (see pg. 4, lines 29-31; pg. 7, line 22-24; Figs. 5 and 6), where the payee product details are messages sent to the mobile terminal to inform the user of products and/or services,

wherein the transmitting means (2) comprises a broadcast antenna (2) for broadcasting the service notification messages (see pg. 4, lines 29-31; pg. 7, lines 22-36; Figs. 2 and 5), where the transmitter/receiver has a defined coverage area;

processing means for conducting of an identification process with the mobile terminal over the local wireless communication channel (see pg. 6, lines 18-30; pg. 7, lines 22-36; Figs. 2, 5, 9), where the mobile terminal is within a sub-region of the larger coverage area which is within range of the local service for identification and authentication purposes.

Vazvan fails to disclose having the features a directional transmitter or receiver for defining a localised transmission/reception region which is a sub-region of the region over which said

service notification messages are broadcast; and using said directional transmitter or receiver, said process only proceeding if the mobile terminal is present within the localised region.

However, the examiner maintains that the feature a directional transmitter or receiver for defining a localised transmission/reception region which is a sub-region of the region over which said service notification messages are broadcast; and using said directional transmitter or receiver, said process only proceeding if the mobile terminal is present within the localised region was well known in the art, as taught by Crandall.

Crandall further discloses the features a directional transmitter or receiver for defining a localised transmission/reception region which is a sub-region of the region over which said service notification messages are broadcast (see col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; Fig. 1), where the user of a portable receiver can interactively communicate with an electronic automated transaction systems such as AUTOMAC (e.g., vending machine, ATM, checkout counters, or kiosk) that has high power arrays for broadcast and low power arrays for narrowcast to enable transactions of monetary, information, goods, or services,

wherein the directional antenna (30) or receiver does not broadcast the service notification messages (see col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; Fig. 1), where the user of a portable receiver can interactively communicate with an electronic automated transaction systems such as AUTOMAC (e.g., vending machine, ATM, checkout counters, or kiosk) that has high power arrays for broadcast and low power arrays (30) for narrowcast to enable transactions of monetary, information, goods, or services (also, see col. 7, lines 18-21; col. 6, lines 54-57); and

using said directional transmitter or receiver, said process only proceeding if the mobile terminal is present within the localised region (see col. 3, line 11 - col. 4, line 3; col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; Fig. 1), where the user of a portable receiver can interactively communicate with a device such as AUTOMAC (e.g., vending machine, ATM, checkout counters, or kiosk) that has high power arrays for broadcast and low power arrays for narrowcast to enable transactions of monetary, information, goods, or services.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vazvan and Crandall to have the features a directional transmitter or receiver for defining a localised transmission/reception region which is a sub-region of the region over which said service notification messages are broadcast; and using said directional transmitter or receiver, said process only proceeding if the mobile terminal is present within the localised region, in order to provide accessible, user friendly electronic automated transaction systems for use by sight-impaired persons and by print-disabled persons without diminishing the utility of the machine for those who are not sight-impaired or print-disabled, as taught by Crandall (see col. 2, lines 52-56, 64-67).

Regarding **Claim 7**, the combination of Vazvan and Crandall discloses every limitation claimed, as applied above (see claim 1), in addition Vazvan further discloses wherein each of a plurality of local services (2) has a respective localized region that is a respective sub region of the a respective region into which service notification messages are broadcast from the local service (see Fig. 5).

Regarding **Claim 8**, Vazvan discloses to conducting the mobile terminal (1) identification process (see pg. 6, lines 18-30; pg. 7, lines 22-36; pg. 8, line 33 - pg. 9, line 26;

pg. 8, lines 16-23; pg. 5, lines 20-25; pg. 10, lines 5-36; Fig. 5), where the terminal-to-terminal communication is provided within the smaller coverage area to exchange information (e.g., product details, account number, payments (telecash), and/or P-PIN code) for the purpose such as a secure transaction and signaling protocol which provides the transaction communication in a smaller region of a larger region (see Fig. 5, Example 3-4). The coverage areas can be adjusted from 1 millimeter to a few meters or more (see pg. 7, lines 29-30). Vazvan fails to disclose having the features switching from broadcasting service notification messages over the broadcast antenna; using the directional antenna or receiver. However, the examiner maintains that the features switching from broadcasting service notification messages over the broadcast antenna; using the directional antenna or receiver was well known in the art, as taught by Crandall.

Crandall further discloses the feature switching from broadcasting service notification messages over the broadcast antenna (see col. 3, line 11 - col. 4, line 3; col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; Fig. 1), where the electronic automated transaction systems have high power arrays for broadcasting and low power arrays for narrowcasting (also, see col. 7, lines 18-21; col. 6, lines 54-57);

using the directional antenna or receiver (see col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; Fig. 1), where the electronic automated transaction systems have low power arrays for narrowcasting which provides functions such the identifier process and to enable transactions of monetary, information, goods, or services.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vazvan and Crandall to have the

features switching from broadcasting service notification messages over the broadcast antenna; using the directional antenna or receiver, in order to provide accessible, user friendly electronic automated transaction systems for use by sight-impaired persons and by print-disabled persons without diminishing the utility of the machine for those who are not sight-impaired or print-disabled, as taught by Crandall (see col. 2, lines 52-56, 64-67).

Regarding **Claim 9**, the combination of Vazvan and Crandall discloses every limitation claimed, as applied above (see claim 1), in addition Vazvan further discloses wherein each of a plurality of local services (2) has a respective localized region that is a respective sub region of a respective region into which service notification messages are broadcast from the local service (2) (see Fig. 5).

Regarding **Claim 10**, Vazvan discloses wherein the local system (2) (see Fig. 5); to conducting the mobile terminal (1) identification process (see pg. 6, lines 18-30; pg. 7, lines 22-36; pg. 8, line 33 - pg. 9, line 26; pg. 8, lines 16-23; pg. 5, lines 20-25; pg. 10, lines 5-36; Fig. 5), where the terminal-to-terminal communication is provided within the smaller coverage area to exchange information (e.g., product details, account number, payments (telecash), and/or P-PIN code) for the purpose such as a secure transaction and signaling protocol which provides the transaction communication in a smaller region of a larger region (see Fig. 5, Example 3-4). The coverage areas can be adjusted from 1 millimeter to a few meters or more (see pg. 7, lines 29-30). Vazvan fails to disclose having the features switches from broadcasting service notification messages over the broadcast antenna; using the directional antenna or receiver. However, the examiner maintains that the features switches

from broadcasting service notification messages over the broadcast antenna; using the directional antenna or receiver was well known in the art, as taught by Crandall.

Crandall further discloses the feature switches from broadcasting service notification messages over the broadcast antenna (see col. 3, line 11 - col. 4, line 3; col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; Fig. 1), where the electronic automated transaction systems have high power arrays for broadcasting and low power arrays for narrowcasting; using the directional antenna or receiver (see col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; Fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vazvan and Crandall to have the features switches from broadcasting service notification messages over the broadcast antenna; using the directional antenna or receiver, in order to provide accessible, user friendly electronic automated transaction systems for use by sight-impaired persons and by print-disabled persons without diminishing the utility of the machine for those who are not sight-impaired or print-disabled, as taught by Crandall (see col. 2, lines 52-56, 64-67).

Regarding **Claim 11**, Vazvan discloses wherein the local service (2) (see Fig. 5); in conduction the mobile terminal (1) identification process (see pg. 6, lines 18-30; pg. 7, lines 22-36; pg. 8, line 33 - pg. 9, line 26; pg. 8, lines 16-23; pg. 5, lines 20-25; pg. 10, lines 5-36; Fig. 5), where the terminal-to-terminal communication is provided within the smaller coverage area to exchange information (e.g., product details, account number, payments (telecash), and/or P-PIN code) for the purpose such as a secure transaction and signaling protocol which provides the transaction communication in a smaller region of a larger region

(see Fig. 5, Example 3-4). The coverage areas can be adjusted from 1 millimeter to a few meters or more (see pg. 7, lines 29-30). Vazvan fails to disclose having the feature switches from broadcasting service notification messages over the broadcast antenna over the transmitting means to using the directional transmitter or receiver. However, the examiner maintains that the feature switches from broadcasting service notification messages over the broadcast antenna over the transmitting means to using the directional transmitter or receiver was well known in the art, as taught by Crandall.

Crandall further discloses the feature switches from broadcasting service notification messages over the broadcast antenna over the transmitting means to using the directional transmitter or receiver (see col. 3, line 11 - col. 4, line 3; col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; Fig. 1), where the electronic automated transaction systems have high power arrays for broadcasting and low power arrays for narrowcasting.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Vazvan and Crandall to have the feature switches from broadcasting service notification messages over the broadcast antenna over the transmitting means to using the directional transmitter or receiver, in order to provide accessible, user friendly electronic automated transaction systems for use by sight-impaired persons and by print-disabled persons without diminishing the utility of the machine for those who are not sight-impaired or print-disabled, as taught by Crandall (see col. 2, lines 52-56, 64-67).

Response to Arguments

5. Applicant's arguments filed 22 August 2005 have been fully considered but they are not persuasive.

Examiner respectfully disagrees with applicant's arguments as the applied reference(s) provide more than adequate support and to further clarify (see the above claims and comments in this section).

6. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Regarding applicant argument on pg. 6, 3rd ¶, "...does not teach a combination of service notification messages broadcast into one region and identification process localized to a sub region of the broadcast region...", the Examiner respectfully disagrees. Vazvan payee product details which reads on the claimed "service notification messages" broadcast into one region (see pg. 4, lines 29-31; pg. 7, line 22-24; Figs. 5-6, 9), where the payee terminal (2) broadcast product details to the payer terminal (1) over a coverage area. Also, Vazvan teaches of an identification process (see pg. 6, lines 18-30; pg. 7, lines 22-36; Figs. 2 and 5), where the mobile terminal is within a sub-region of the larger coverage area which is within range of the local service for identification and authentication purposes. The terminal-to-terminal communication is provided within the smaller coverage area to exchange information (e.g., product details, account number, payments (telecash), and/or P-PIN code) for the purpose such as a secure transaction and signaling protocol which provides the

transaction communication in a smaller region of a larger region (see Fig. 5, Example 3-4).

The coverage areas can be adjusted from 1 millimeter to a few meters or more (see pg. 7, lines 29-30). Crandall discloses identification process localized to a sub region of the broadcast region (see col. 6, line 61 - col. 7, line 6; col. 7, line 65 - col. 8, line 1; col. 3, line 11 - col. 4, line 3; Fig. 1), where the user of a portable receiver can interactively communicate with an electronic automated transaction systems such as AUTOMAC (e.g., vending machine, ATM, checkout counters, or kiosk) that has high power arrays for broadcast and the electronic automated transaction systems have low power arrays for narrowcasting which provides functions such the identifier process and to enable transactions of monetary, information, goods, or services (also, see col. 7, lines 18-21; col. 6, lines 54-57).

7. Regarding applicant's argument on pg. 5, 2nd ¶, "...should be reconsidered and withdrawn...", the Examiner respectfully disagrees. The instant application on pg. 4, lines 11-12 recites, "...a directional **transmitting** and receiving antenna (8) coupled to the transceiver..." in which the directional antenna provides **transmitting** functions. Also, the instant application on pg. 5, lines 22-28 recites, "...transaction phase..." in which "...a list of possible articles transmitted...", where antenna (8) and antenna (7) provide an interworking relationship between the telephone (11) and the vending machine (1). As a result of the details provided in the specification, the attempt for the exclusionary language in claims 1, 4, and 6 does not prohibit the transmitter (6) coupled to antenna (8) from sending notification messages such "a list of possible articles" to the telephone (11). Therefore, the 112 rejections of the claimed limitations are maintained.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- a. **Griffith (US 6,195,541)** discloses an *Interaction of a Wireless Telephone with a Transaction Unit*.
 - b. **Joao et al. (US 5,903,830)** discloses a *Transaction Security Apparatus and Method*.
 - c. **Hassett (US 6,653,946 B1)** discloses *Electronic Vehicle Toll collection System and Method*.
 - d. **Harris et al. (US 6,434,158 B1)** discloses *Entryway System Using Proximity-Based Short-Range Wireless Links*.
 - e. **Keller (US 5,906,228)** discloses *Gasoline Dispensing System and Method With Radio Frequency Customer Identification Antenna*.
9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (571) 272-7907. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WJD,JR
25 November 2005

Marsha D Banks-Harold
MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600